

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CASE #1:07-CR-10201-NG

DAMMOND BONNER

DEFENDANT'S MOTION TO ISSUE
AN ORDER TO PROBATION TO RE-
MOVE IT'S DETAINER AND VACATE
HIS PROBATION

Now comes, the defendant in the above-entitled pleading and hereby moves this Honorable Court to issue an ORDER TO PROBATION TO REMOVE IT'S DETAINER AND VACATE THE REMAINING PROBATION TIME, FOR FAILURE TO TIMELY SET UP A SURRENDER HEARING.

In support hereof the defendant has attached his Affidavit and Memorandum of Law hereto, for reference.

The Supreme Court, in Morrissey V. Brewer, 408 U.S. 14, 17-21; 102 S.Ct. 31 (1981, held: "Revocation of Probation requires two types of hearings that the defendant is entitled to."

1) A hearing within a reasonable time, after the "Detainer," has been lodged against him;

2) "Notice," of the charges that triggered the detainer, that is lodged against him.

On February 16, 2011, the instant "Detainer" was lodged, along with an arrest warrant. See Exhibits "A&B"

In the reasons stated by the government in its Response to Motion (Docket No. 77) the Motion is hereby DENIED. Wm. D.J. April 16, 2014